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OFFICE OF PETITIONS

In re Application of	:	
Dabak, et al.	:	
Application No. 10/808,621	:	DECISION ON PETITION
Filed: March 24, 2004	:	
Attorney Docket No. TI-28940.1	:	

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed April 23, 2007, to revive the above-identified application.

The petition is **GRANTED**.

As a preliminary matter, the application file does not indicate a change of address has been filed in this case, although the address given on the petition differs from the address of record. A change of address should be filed in this case in accordance with MPEP 601.03. A courtesy copy of this decision is being mailed to the address noted on the petition. However, until otherwise instructed, all future correspondence regarding this application will be mailed solely to the address of record.

The application became abandoned for failure to reply in a timely manner to the non-final Office action mailed, October 10, 2006, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the application became abandoned on January 11, 2007.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of an amendment, (2) the petition fee of \$1,500.00, and (3) an acceptable statement of unintentional delay.

The statement of unintentional delay presented in the petition does not comply with the current rule. 37 CFR 1.137(b)(3) requires a statement that "the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional" be submitted. However, the statement presented will be accepted and construed as meaning that "the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional." If

this is an incorrect interpretation in view of the rules, petitioners are required to provide a statement to that effect.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3230.

This application is being referred to Technology Center AU 2611 for appropriate action by the Examiner in the normal course of business on the reply received



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